



ARIZONA DEPARTMENT OF ECONOMIC SECURITY

1789 W. Jefferson • P.O. Box 6123 • Phoenix, AZ 85005

Janet Napolitano
Governor

David A. Berns
Director

May 18, 2006

WIA Guidance Letter #08-06

Rescinds Workforce Information Memo #11-01 Change 1

SUBJECT: Submittal of Significant and Administrative Modifications to Local Workforce Investment Board (LWIB) Members and Areas - Two Year Plans

REFERENCE: P.L. 105-220, Sections 118, and 224, Workforce Investment Act (WIA) dated August 7, 1998; 20 CFR, Sections 661.220, 661.230, 661.345, 661.350, 661.355, WIA Final Rules dated August 11, 2000; TEGL 14-04.

PURPOSE: To rescind existing Workforce Information Memo #11-01 Change 1 and update procedures for Local Workforce Investment Board Plan Modifications.

BACKGROUND: Under the Workforce Investment Act of 1998, each Local Workforce Investment Board (LWIB) submitted to the Governor a comprehensive Two-Year Local Plan in partnership with the appropriate chief elected official for WIA Program Years 2005 and 2006. These local plans are written to be in accord with Arizona's Strategic Two Year WIA State Plan.

Additional directives in the WIA Final Rules call for procedures to be established which LWIBs must follow when making significant modifications to their Two-Year Plans. Significant modifications to local Two-Year Plans may be needed to maintain the viability of the service strategies and policies enumerated within the text of those Plans.

Significant modifications are those involving changes in local economic conditions; changes in the financing available to support WIA Title I and its partner-provided WIA services; reorganization of roles and responsibilities of key One-Stop partners and programs; or the necessity to revise strategies to meet performance goals. In addition, significant modifications would include changes to local policy that change the vision or the assumptions upon which the Two-Year Plan was developed; changes to the local board structure; or changes to the local area's service strategies for serving job seekers, employed workers or employers.

Modifications to Local Plans that do not fall within the parameters stated in the above paragraph are considered administrative modifications.

In the state's opinion, the Two-Year Plans serve as a management tool that allow local elected officials and Local Board members to continually evaluate the progress of local service providers and One-Stop operators in implementing the long-term goals and objectives for the local workforce development system. Therefore, Local Boards should review, on at least an annual basis, their Two-Year Plans to assess whether modifications are necessary or required.

If there are questions regarding whether a Plan Modification is required, local areas should contact Jody Ryan, State Department of Commerce, via e-mail at JodyR@azcommerce.com or by phone at (602) 771-1176.

ACTION REQUIRED: The procedure delineated below must be followed by all LWIBs when submitting significant modifications to their Two-Year Local Plans:

- (1) Local areas may submit modifications to their Two-Year Plans as necessary during the two-year period, and must do so in accordance with the same collaboration, notification and other requirements that applies to the original plan. Modifications to the Local Two-Year Plan are subject to the same public review and comment requirements that apply to the development of the original plan (i.e. 30-day public comment period). The local area must provide an opportunity for public comment prior to its submission to the State and the submission must describe the local area's process for ensuring meaningful public comment.
- (2) Modifications must be submitted to the Governor's Council on Workforce Policy. Four (4) originals of the proposed, modified LWIB Two-Year Plan shall be sent to:

Jody Ryan, Director of Workforce Policy
Office of Workforce Development
Arizona Department of Commerce
1700 West Washington Street, 6th Floor
Phoenix, Arizona 85007

- (3) Modifications to the Two-Year Plans must have an original signature of the local elected official, and the name of the local elected official must be typed below, unless the local elected official has designated an appropriate official to serve as his or her official agency representative. In the case where an official agency representative has been designated, a formal statement in which the local elected official certifies the name of the agencies and officials that he or she has designated must be submitted to the aforementioned Arizona Department of Commerce contact.
- (4) The Interagency Workforce Development Team (Arizona Department of Commerce, Arizona Department of Economic Security, and Arizona Department of Education) will review the Modifications to an LWIBs Two-Year Plan and provide a response to the LWIB within twenty (20) working days upon receipt of the proposed, modified Local Plan.
- (5) The Interagency Workforce Development Team's recommendation to accept or not to accept the modification(s) will be forwarded to the Governor's Council on Workforce Policy for action at the next scheduled Council meeting.
- (6) Within five (5) working days of the Council's approval, the Council's recommendation will be forwarded to the Governor's Office for approval or disapproval. Should the Council or the Governor vote to disapprove the modification(s), the Plan will be returned to the Interagency Workforce Development Team, to be returned to the local area.

(7) The LWIA will resubmit the plan using the process as outlined above.

For administrative modifications, LWIBs shall adhere to the following submittal procedure:

- (1) The Department of Economic Security/Employment Administration/Workforce Investment Act (DES/EA/WIA) Section will approve or disapprove administrative modifications to Local Two-Year Plans.
- (2) Two (2) copies of a transmittal letter (both copies containing original signatures of the LWIB Chairperson and the Local Elected Official) must be submitted to the DES/WIA, Section, and the page(s) of the local plan reflecting the proposed modification(s). All required documentation shall be sent to:

Lela Alston, WIA Section Manager
Employment Administration
Department of Economic Security
1789 West Jefferson, Site Code 920-Z
Phoenix, Arizona 85007

- (3) The DES/EA/WIA will notify the LWIB within ten (10) working days of its approval of the proposed modification(s). Should the DES/WIA find that the proposed modification(s) is (are) incomplete and require additional time for approval, the DES/WIA will notify the LWIB in writing.

Any modifications that require additional time for approval shall not be retroactive to the original submittal and review dates

For any questions regarding information contained in this Guidance Letter, please contact Ms. Mimi Hurtado, DES/EA/ WIA Section, Field Operations Manager, at (602) 542-2475 or e-mail mhurtado@azdes.gov.

All WIA Guidance Letters are posted on the DES website at <http://www.azdes.gov/wia>.

Sincerely,



Lela Alston, WIA Section Manager
Employment Administration
Department of Economic Security